REMARKS

Claims 1-32 are pending in this application. By this Amendment, claims 1-5, 17 and 29 are amended. No new matter is added. Reconsideration is respectfully requested in view of the above amendments and the following remarks.

In section 1 on pages 2-5, the Office Action rejects claims 1-32 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,999,599 to Shaffer et al. (hereinafter "Shaffer"). This rejection is respectfully traversed.

Shaffer describes a system and method for enhanced caller name alerting which enables the caller to record a voice message which is heard by the call receiver before the call receiver accepts the telephone call, so that the call receiver knows who is calling. The subject matter recited in claims 1-32, on the other hand, is directed primarily towards allowing the caller to select a customised call sound or alert descriptor. This does not necessarily identify who the caller is, but allows the caller to express creativity in making a telephone call, rather than just having a call announced by a normal ringing sound.

Claim 1 relates to "called end alert retrieval", a situation in which retrieval of the caller's alert descriptor is initiated by the call receiver's terminal, and the caller's alert descriptor is retrieved from a location remote from either the caller's terminal or the call receiver's terminal. This feature is not disclosed, taught or suggested by Shaffer.

The Office Action directs attention to column 3 line 61 through column 4 line 50 of Shaffer. In this passage, Shaffer describes a calling party recording a header in advance (which may be an audio file of the sender's name or an image of the sender), which is then added as a field to an SS7 message, and the recorded header is sent to the called party as part of a normal caller ID message when the calling party makes a call to a called party. The identifying message is transmitted to the called party's terminal equipment each time a call is made. The called party's terminal equipment does not at any stage initiate action to retrieve

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the identifying message from a remote location as defined in step c of amended claim 1 of the present application.

The difference between "pushing" an identification message from the call sender to the call receiver as described in Shaffer and "called end alert fetch" as recited in claim 1 is significant, because the amount of data that can be transmitted to a called party's terminal while setting up a call is limited by the bandwidth of the connection between the calling party and the called party. The amount of data available for an alert is not so limited if the called party fetches the alert from a database at a known remote location over a high bandwidth connection.

Claim 2 relates to an arrangement in which one caller has multiple possible alerts, each of which can be triggered separately in different situations. Shaffer does not disclose, teach or suggest this feature. The Office Action directs attention to column 3 line 61 through column 4 line 50 of Shaffer. In this passage, particularly at column 3 lines 64 to 67, Shaffer describes how a calling party can record an audio file of the sender's name. An image of the sender can be recorded either in addition to or in place of an audio file. However, there is only one identification message created, consisting of an audio file or an image or a combination of an audio file and an image. The same identification message gets transmitted for every call. There is no facility for selecting an alert descriptor from amongst multiple alert descriptors, as required by feature d of claim 2 of the present application.

The ability of the caller ('participating user') to establish an alert configuration which thereafter automatically associates different alerts with different calls is significant because it allows the caller to transmit context-specific information to the called party even before the call has been established. For example, the caller may have an alert configuration which specifies a business-like alert for calls to business partners, an informal alert for calls to friends and family and a light-hearted alert for use on a particular day like Halloween Day.

Thus, with the subject matter recited in the rejected claims, a user can have multiple alerts 'in play' simultaneously whereby the correct or most appropriate alert for use with a given call is automatically associated with the call without the need for further intervention on the part of the user.

Claim 3 relates to an arrangement in which alert descriptors are cached at the called party's terminal ready for rapid re-use. This feature is not disclosed, taught or suggested in Shaffer, where an identification message is transmitted from the caller or the caller's central office to the call receiver each time a call is made. The Office Action directs attention to column 6 lines 16-53. In this passage, Shaffer described components of a computer system illustrated in Figure 7. Although Shaffer does not explicitly state how the computer system is used, Shaffer states that the computer system is "suitable for implementing the present invention." It is apparent from the context of the Shaffer specification as a whole that the computer system is used for encoding SS7 messages at the calling party's terminal or at the calling party's central office. Shaffer contains no disclosure of a computer system remote from the calling party's central office at the called party's terminal which stores messages ready for rapid re-use. At column 6 lines 32-33, Shaffer refers to the CPU 1002 retrieving and storing frequently needed data in a cache memory. However, this is in the context of describing standard operations of a computer. It is not referring to the caching of identification messages.

The ability to cache alerts at the called party's terminal is significant because it reduces or removes entirely the need to transmit alerts to called terminals during the time-critical call set-up period, which would otherwise delay call setup and potentially frustrate both caller and called parties. The subject matter recited in the rejected claims does not assume that the alert descriptor need be transmitted to the called terminal during call setup; this is just one possibility. Alert descriptors may alternatively be pre-emptively distributed to

one or more frequently called terminals at subscription time (at the time the customised alert configuration is established) and cached for use with subsequent calls from this caller; or transmitted to a called terminal immediately after the call has completed, and cached for use with subsequent calls from this caller.

Further, it can be seen that the use of caching within the subject matter recited in the rejected claims allows alerts to become arbitrarily large and elaborate without delaying call setup, which is an important practical and economic consideration. In contrast, transmission of alert descriptors during call setup as disclosed by Shaffer becomes increasingly problematic with increasing alert descriptor size and elaboration (sound, image, sound + image, video etc)

Claim 4 relates to an arrangement in which the caller selects alert descriptors from amongst a range of available alert descriptors. This feature is not disclosed, taught or suggested in Shaffer, where the caller records an identification message, rather than selecting it from a range of available messages. The Office Action directs attention to column 3 line 61 through column 4 line 50 of Shaffer. In this passage, particularly at column 3 lines 64-67, Shaffer describes the calling party recording a header in advance. The recording may be an audio file of the calling party's name, an image of the calling party, or both an audio file and an image. However, Shaffer does not describe any option for the calling party to select a pre-recorded message from a range of such messages made available for the purpose.

The ability to select an alert descriptor from amongst a range of available alert descriptors is significant because it provides the calling party with choices which extend far beyond what the calling party could produce and record himself or herself. For example, the alert descriptor may be selected from amongst a range of popular song recordings, or from amongst a range of artistic works or film clips. The subject matter recited in the rejected claims does not require the calling party to have the artistic or musical abilities necessary to

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create for himself or herself a high-quality alert descriptor. Further, a range of possible choices allows the calling party to express his or her individuality by means of the selection.

Claims 5-28 are allowable based at least on their dependency from claims 1 and 2. Claim 29 is allowable for reasons similar to the reasons stated above in connection with the rejection of claims 1-4. Claims 30-32 are allowable based at least on their dependency from claim 29.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-32 as being anticipated by Shaffer, be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-32 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,
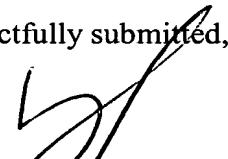
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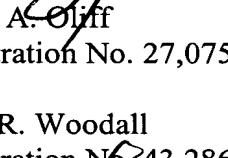
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